IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF MAY

TWO THOUSAND AND SIX

PRESENT

THE HON'BLE SRI JUSTICE GODA RAGHURAM

and
THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

WRIT PETITION No.9590 of 2006

Between:

Andasu Nageswar Rao and 2 others.

..... PETITIONERS

AND

The Government of Andhra Pradesh,

Groundwater Department, rep. by its

Director, Hyderabad and 3 others.

.....RESPONDENTS

ORDER: ***(Per Hon'ble Sri Justice Goda Raghuram,)***

Heard learned Counsel for the petitioner and the learned Government Pleader for Panchayat Raj.

The petitioners are aggrieved that the respondents are not protecting the drinking water needs of the Florosis affected villages of Vatsavai Mandal, Krishna District, and in subversion of the drinking water interests of the villages concerned, the third respondent has issued a tender-cum-public auction dated 19-04-2006 seeking to conduct auction of the leasehold rights, on 05-05-2006 for quarrying sand, for one year in Kanneveedu reach of Vatsavai Mandal, Krishna District.

The learned Government Pleader for Panchayat Raj, on instructions, submits that a detailed ground water survey has been conducted, and on the basis of the report received pursuant to such survey, satisfaction was arrived at that sand mining can be done in the area pointed out in the survey report with the safeguards mentioned therein. According to the learned Government Pleader, in accordance with the report of the ground water department, and consistent with the safety conditions mentioned therein, sealed tender-cum-public auction notice dated
19-04-2006 was issued. The learned Government Pleader for Panchayat Raj also asserts that the drinking water needs of the inhabitants of the villages of Vatsavai Mandal are not in jeopardy, and shall not be in jeopardy, pursuant to the mining leases granted and pursuant to the issuance of impugned auction notices.

In view of the assertion made and undertaking given on behalf of the respondents and on the basis of the ground water survey report, no case is made out for interference.

The Writ Petition is disposed of recording the undertaking given on behalf of the respondents that the drinking water needs of the villages of Vatsavai Mandal, Krishna District, will be maintained at present levels, and no mining leases will be granted which will have an adverse impact on the qualitative and quantitative levels of the drinking water requirements of the villages of the Vatsavai Mandal, Krishna District.

(Goda Raghuram, J)

2nd May, 2006

(M.Venkateswara Reddy, J)

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